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he or she recklessly causes serious bodily injury. If you take a look at the defense portions of the bill, it says, an act or conduct that is committed or engaged in by the mother of the unborn child is, in fact, a defense. Let me give you a hypothetical that I think is criminalized by this statute. Husband and wife in marriage get a warning from a doctor that says sexual contact should come to an end or intercourse should come to an end at X period in the pregnancy, after seven months, eight months, whatever. Conceptually, consensually and carelessly, they engage in intercourse after that period of time. There winds up being injury to the child and if you read the defense section, an act or conduct that is committed or engaged in by the mother, it's a defense for the mother but not the husband. In other words, if you link third-degree assault to the defense section, the husband in that action would have no defense for the consensual sexual, reckless, careless, negligent, stupid, but not criminal now and would be criminalized by this statute, it seems to me. The defense doesn't go to...the defense goes only to the wife, but not the husband. That's what I think the language, conduct that is committed, that would be the wife, or engaged in by the mother of the unborn child, and to me, what that says is the woman gets off the hook but nobody else does. And who is nobody else? If the husband certainly is criminalized by that behavior, so too, very simply, would a doctor, so too would somebody committing an abortion, because that's the point of the statute. The point of the statute is, the mother can't consent to anybody else's actions, she can only consent to her own. And that's a gateway to the point that a mother cannot consent to a doctor committing an abortion.

SENATOR CUDABACK: One minute.

SENATOR LANDIS: That's the philosophical point here. If you wanted to get to this as a social evil, you'd draft the bill along the lines that Senator Schimek indicated and you'd get to it. You'd have a usable, definable, prosecutable statute pretty easily. This is, from my perspective, a philosophical statement that is a precursor to this line of argument. Women cannot consent to actions that impact the well-being of an unborn child that they are carrying. The only person, the last person in the